

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

IN RE DAVID TIMOTHY JOHNSON,	:	Bankruptcy No. 06-15876 (KCF)
	:	
Debtor.	:	
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DAVID TIMOTHY JOHNSON,	:	CIVIL ACTION NO. 06-5313 (MLC)
	:	
Appellant,	:	<b>MEMORANDUM OPINION</b>
	:	
v.	:	
	:	
WELLS FARGO BANK, N.A.,	:	
	:	
Appellee.	:	
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**THE APPELLANT** moving for an "emergency stay . . . pending appeal" from an order of the United States Bankruptcy Court, dated September 14, 2006 ("9-14-06 Order") (dkt. entry no. 1); and the motion being assigned the above-referenced docket number; and the appeal from the 9-14-06 Order having been dismissed by this Court, see Civil Action No. 06-5901 (MLC), 1-26-07 Mem. Op. & 1-26-07 Order; and the Court, upon reviewing the papers filed in support of and in opposition to the motion, intending to resolve the motion without oral hearing and on the papers, see Fed.R.Civ.P. 78; and it appearing that the motion is moot, as the appeal is no longer pending; and the Court thus intending to (1) deny the motion as moot, and (2) close the action; and for good cause appearing, the Court will issue an appropriate order.

s/ Mary L. Cooper  
**MARY L. COOPER**  
United States District Judge